

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
Western Division
Docket No. 5:94-CR-97-6F**

On this the 28th day of April, 2010, comes Erica W. Foy, U.S. Probation Officer, in open court at Wilmington, North Carolina, who shows the court that Timothy Gerome McCullers appeared before the Honorable James C. Fox, Senior U.S. District Judge, with counsel on February 16, 1995, and upon a plea of guilty to 21 U.S.C. § 846, Conspiracy to Possess With Intent to Distribute Cocaine and 7 U.S.C. § 2024(b) and 2, Trading Food Stamps for Crack and Aiding and Abetting, was sentenced to the custody of the Bureau of Prisons for a term of 235 months. Additionally, it was ordered by the court that the defendant be placed on supervised release for 60 months upon release from imprisonment. On September 5, 1995, the court reduced his sentence to 180 months. Timothy Gerome McCullers was released from custody and the term of supervised release commenced on June 8, 2007. On January 22, 2010, his term of supervised released was revoked and he was ordered to serve 6 days in custody to be followed by 15 months of supervised release.

From evidence presented, the court finds as a fact that Timothy Gerome McCullers, who is appearing before the court with counsel, has violated the terms and conditions of the judgment as follows:

1. Possessing a controlled substance

IT IS, THEREFORE, ORDERED AND ADJUDGED that the supervised release term heretofore granted be revoked, and the defendant is ordered committed to the custody of the Bureau of Prisons or its authorized representative for imprisonment for a period of 59 months.

IT IS RECOMMENDED that the defendant participate in intensive substance abuse treatment while incarcerated.

IT IS FURTHER ORDERED that the Clerk provide the U.S. Marshal a copy of this Judgment and same shall serve as the commitment herein.

This the 28th day of April, 2010.

James C. Fox
James C. Fox
Senior U.S. District Judge